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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A.No. 784 of 1997.

Date of decision: 20-1-1998.

Between:

Kum. Pushpa K^Moil. .. Applicant.

and

- 1.The Divisional Railway Manager (MG),
Hyderabad Division, South Central Railway,
Secunderabad.
- 2.The Senior Divisional Personnel Officer (MG),
Hyderabad Division, South Central Railway,
Secunderabad.
- 3.Smt. Sayeeda Bhanu .. Respondents.

Counsel for the applicant: Sri S.Lakshma Reddy.

Counsel for the respondents 1 &2: Mr. D. Francis.

CORAM:

Hon'ble Sri R. Rangarajan, Member(A)

Hon'ble Sri B.S. Jai Parameshwar, Member(J)

Judgment.

(per Hon'ble Sri R. Rangarajan, Member(A))

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Heard Sri S.Lakshma Reddy for the applicant,
Sri D.Francis, for Respondent Nos., 1 and 2. Res-
pondent No.3 was served with notice. She was called
absent.

The applicant in this O.A., was working on
ad hoc basis as Trained Graduate Teacher in Hindi and
she belongs to Marathi Medium seniority^{unit} of Trained
Graduate Teachers. The Avenue of promotion Chart for
Teaching Staff in the Railway Schools and Junior Colleges
is Annexure R-1 to the O.A. For promotion to the
TGT (Trained Graduate Teachers) Hindi medium in the

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scale of Rs.1400--2600, the Assistant Teachers in the scale of Rs.1200--2040 are eligible to be considered. In the absence of the requisite number of qualified candidates in the particular Medium, Assistant Teachers belonging to other Media were also called to adhere the ratio of 1 : 3. In the present selection for the post of ~~SGT~~ in the Railway High School, Poorna, 4 candidates belonging to different media viz., English Medium, Telugu Medium and Marathi Medium were called for, as ^{the} requisite number of Assistant Teachers were not available in the English Medium. The applicant as well as Respondent No.3 were also called for selection. Smt. Sarada, Assistant Teacher of the Railway Mixed School (English Medium) South Lala Guda was selected against O.C.Post as she ^{ranked} ~~being~~ the first in the merit list, ~~the post of SGT~~ ^{was} and consequent upon de-reservation of S.T. post, Respondent No.3, Asst. Teacher of Railway Mixed High School (English Medium) South Lala Guda who was second in the merit list was promoted. The promotion orders as above were issued by the impugned Proceedings No. YP/94/SCH/TGT(EM) ~~This order is filed~~ selection dated 20-5-1997 (Annexure I - Page 5 of the O.A.)

This O.A., is filed to quash the Proceedings dated 20-5-1997 by holding it as violative of selection procedure and for a consequential direction to the respondents to promote the applicant herein on regular basis as Trained Graduate Teacher in Hindi with all consequential benefits such as seniority, fixation of pay, arrears of salary etc. of the applicant

The main contention/in this O.A., is that ^{the} Respondent No.3 is not possessing the requisite ^{professional} ~~provisional~~ qualification in Hindi equivalent to B.Ed., and hence her selection has to be set aside.

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The only method to examine this contention is to scrutinise the Educational qualifications for Hindi Pandits as prescribed by the State of Andhra Pradesh. Hence, we directed the learned counsel for the respondents to produce the qualifications required for Trained Graduate Teacher Hindi as prescribed by the State of Andhra Pradesh. Today, the learned counsel for the respondents produced the Proceedings of the Director of Public Instruction, Hyderabad bearing No.1049/G2/64 dated 16-12-1966 which shows the Academic Qualifications (Group -A) as well as Professional Qualifications (Group-B). The Respondent No.3 possessed the Academic qualification of B.A., She also possessed the Training Certificate in Hindi issued by the Secretary to the Commissioner for Government Examinations, Andhra Pradesh (Senior/Junior Grade). Thus the Respondent No.3 possessed all the Educational qualifications as required by the Government of Andhra Pradesh for promotion as TGT Hindi. We have also perused the Certificate issued by the Secretary to the Commissioner for Government Examinations, Andhra Pradesh, Hyderabad. This certificate has been issued by the Competent Authority viz., Secretary to the Commissioner for Government Examinations, Andhra Pradesh, Hyderabad and hence, there is no doubt that Respondent No.3 is possessed of the requisite qualifications.

Since the applicant does not come within the prescribed ^{limit} ~~qualifications~~ to promote her as per promotion list, ^{was} Respondent No.3 was correctly selected who ~~is the~~ second in the merit list.

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In view of the foregoing discussion, the O.A.,
has to be dismissed as having no merits. Accordingly,
the O.A., is dismissed. No costs.



B.S. JAI PARAMESHWAR,
Member (J)

20.1.98



R. RANGARAJAN,
Member (A)

Date: 20-1-1998.

Dictated in open Court.


D.R.

SSS.

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Copy to:

1. The Divisional Railway Manager (MG),
Hyderabad Division, South Central Railway,
Secunderabad.
2. The Senior Divisional Personnel Officer (MG)
Hyderabad Division, South Central Railway,
Secunderabad.
3. One copy to Mr. S. Lakshma Reddy, Advocate, CAT, Hyderabad.
4. One copy to Mr. D. Francis, Addl. CGSC, CAT, Hyderabad.
5. One copy to D.R(A), AT, Hyderabad.
6. One duplicate copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

THE HON'BLE MR. B. S. JAI PARAMESHWAR :
M(J)

DATED: 20/1/98

~~ORDER/JUDGMENT~~

~~M.A./R.A/C.A.NO.~~

in

C.A.NO.

784/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

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